

SCIENCE MISSION DIRECTORATE POLICY
DEBRIEFING AND RECONSIDERATION FOR NRA AND CAN PROPOSALS
SMD POLICY DOCUMENT 09 (SPD-09C)

Version History

SPD-09 approved by SMD Science Management Council on September 18, 2006.
Revised SPD-04B approved by the SMD Associate Administrator September 25, 2013.
Revised SPD-04C to distinguish between oral debrief and written request for reconsideration, improve record keeping, and add CANs as well as NRAs.
Approved by the SMD Associate Administrator September 2017.
Responsible Official: SMD Lead for Research.
This goes into effect on December 4, 2017.

1. Purpose

This document describes the set of SMD processes for: (1) debriefing and (2) requesting reconsideration, following the declination of part or all of a proposal submitted in response to an SMD NASA Research Announcement (NRA) or Cooperative Agreement Notice (CAN).

For the purposes of this policy, there is one person associated with each proposal, referred to as "the proposer" in this document, who has authority to request a debriefing or a reconsideration: The Principal Investigator (PI) or, if there is one, NASA presumes that this authority is delegated to the "Co-I/Science PI". The proposer may request a debriefing to gain a better understanding of the contents of a panel evaluation, the evaluation process, and the reasoning supporting the decision not to select the proposal. The proposer may request reconsideration if it is thought that (1) the evaluation contained errors that contributed to declination and/or (2) the proposal was not handled correctly. For proposals that would lead to contracts, proposers may also consult the Ombudsman (see Appendix G of [the NASA Guidebook for Proposers](#)).

Throughout this document, the term "written" refers to electronic communication (e.g., email or electronic files, such as PDF documents via NSPIRES).

2. Background

After a proposal has been reviewed, the Selecting Official makes their decisions and proposers are notified in accordance with 48 CFR [1852.235-72\(k\)\(1\)](#):

"When a proposal is not selected for award, the proposer will be notified. NASA will explain generally why the proposal was not selected. Proposers desiring additional information may contact the selecting official who will arrange a debriefing."

For the purposes of this policy document, it is presumed that proposers receive a written evaluation (via NSPIRES) summarizing the reasons why the proposal was not selected and meaningful findings, including a listing of the strengths and weaknesses. Thus, hereinafter the term "debriefing" refers to the remainder of the definition in the [NASA Debriefing Guide](#), i.e., exchanges that: reduce misunderstandings and protests; provide the proposer a clearer understanding of NASA's evaluation process; give an opportunity to demonstrate that NASA

followed the rules and conducted the acquisition in an objective and fair manner; and allow proposers to give NASA their views of the acquisition process.

Although 48 CFR [1852.235-72\(k\)\(1\)](#) specifies that the Selecting Official (usually the Division Director or Division Research Lead) will arrange a debriefing, longstanding SMD policy formally delegates this responsibility to the Program Officer, unless otherwise stated in the solicitation.

The SMD policy for debriefing, reconsideration, and appeal follows these steps:

- (a) Request for debriefing. A proposer who has received notification of the selection decision and associated written evaluation or rationale (typically via NSPIRES), may request additional information to be provided in the form of an oral debrief. Section 3 of this document describes the debriefing process.
- (b) Request for reconsideration of selection decision. Having received a written evaluation and notification regarding a selection decision, a proposer who seeks to demonstrate that there were errors in the evaluation or review process may request reconsideration by providing a written request and rationale. Section 4 of this document describes the reconsideration process.
- (c) Appeal of selection decision. After the reconsideration process has been completed, a proposer has the right to appeal beyond the Selecting Official. Section 5 of this document addresses this process.

Proposers are strongly discouraged from immediately requesting a debriefing or reconsideration. Rather, it is recommended that proposers refrain for 48 hours and reread the evaluation prior to responding.

3. Debriefings

A debriefing is an informal exchange (generally on the phone) between the Program Officer (unless otherwise stated in the solicitation) and the proposer. The primary objectives of the debriefing (see Section 2) are to help the proposer understand the evaluation process, the evaluation itself, and the process leading to the final selection decision. Debriefings are not part of the proposal evaluation process and will not result in changes to evaluations or selection decisions. Assessment of the technical accuracy of the evaluation's findings do not occur in debriefings.

The debrief process is constrained by the following:

- (a) Debriefings may be requested by a proposer until 30 days after NASA sends the evaluation and notification of the decision to select or decline the proposal. If the proposer has taken no action within these time limits, SMD is not required to entertain a request for debriefing.
- (b) Program Officers must respond within 30 days to requests for debriefings (and are encouraged to respond more promptly) to acknowledge the request and arrange a mutually acceptable time for the debriefing, or to delay the debriefing, with an explanation of why more time is needed.
- (c) Debriefing typically occurs by a phone call, but by mutual agreement debriefings may be conducted in writing, in person, or by video conference. Whatever method is used to conduct the debriefing, reasonable limits may be imposed by the program officer on the number and length of the interactions.

- (d) In instances where the proposer focuses on perceived technical inaccuracies in the evaluation, or issues with the review process, the Program Officer should inform the proposer of the process to request reconsideration or, if appropriate, move the proposal on to the reconsideration process described in Section 4.

Program Officers are discouraged from conducting debriefings prior to having sent the proposer notification of the decision and the written evaluation.

4. Requests for Reconsideration

A request for reconsideration is a proposer's detailed, written response to the decision and/or panel evaluation that clearly and concisely lays out perceived factual or technical errors in the written evaluation, perceived problems with the proposal evaluation process, and/or perceived inconsistencies in the basis for the selection decision.

A Program Officer should not respond to a request for reconsideration before the written evaluation and decision letter have been sent to the proposer, other than to acknowledge the request and state that a proposer may request reconsideration only after having received notification of the decision and the written evaluation.

Proposers are encouraged to take advantage of debriefing prior to requesting reconsideration. The Program Officer may require debriefing as a prerequisite for reconsideration.

Proposers should be aware that that requests for reconsideration that focus on refuting demonstrable errors in the evaluation by citing the proposal are most likely to succeed.

In assessing the request for reconsideration NASA will only take into account material in the original proposal or the evaluation. The proposers should be aware that requests for reconsideration based on results obtained after the proposal was submitted, or details that were published in papers but that were not discussed in the proposal, are not appropriate and will not be considered.

A request for reconsideration that successfully overturns some or all of the challenged findings may result in the selection decision being reversed, but it also may not because of 1) lack of available funds, 2) remaining compliance issues or weaknesses, 3) other unselected proposals rated higher or equally highly by peer review, and/or 5) programmatic factors e.g., other unselected proposals were deemed higher priority by NASA.

The process for requesting reconsideration is as follows:

- (a) Once NASA has sent the written evaluation and the written notification of a decision to decline all or part of a proposal, the proposer has 30 days to contact the Program Officer, either to request a debrief or to submit a written request for reconsideration. If the proposer receives a debrief, the proposer then has 30 days from the debrief to submit a written request for reconsideration to the program officer. All written requests for reconsideration must cc sara@nasa.gov (for the purpose of maintaining an SMD record of requests for reconsideration). If the proposer has taken no action within these time limits, SMD is not required to entertain a request for reconsideration of the selection decision.
- (b) Program Officers contacted regarding a request for reconsideration must either refer the proposer to this document or follow this equivalent process:
 - i. The Program Officer must explain the purpose and availability of oral debriefings, and

- offer the proposer an oral debriefing as the first step in the process.
- ii. The Program Officer must outline the process for and time limits on a request for reconsideration.
 - iii. The Program Officer must inform proposers that reconsideration will only be considered after it is requested in writing.
 - iv. The Program Officer must inform proposers that reconsideration will be based only on the material in the original proposal or the evaluation.
 - v. The Program Officer must inform proposers that reconsideration will not necessarily result in an award, even if it is established that there was an error in the evaluation or the evaluation process, because of 1) lack of available budget, 2) other selectable proposals with higher ratings, and/or 3) program priorities that enter into the decision process.
- (c) Upon receipt of a written request for reconsideration, the Program Officer must respond within three business days, either to acknowledge the request and state that a response will follow within 30 additional days or to inform the proposer that additional time will be required. The Program Officer must send an email to the Selecting Official (and Division Research Lead, if different from the Selecting Official) informing them of the reconsideration request and must cc sara@nasa.gov on this initial response to the request for reconsideration.
- (d) After acknowledging receipt of the reconsideration request, the Program Officer must determine the validity of the proposer's response to the findings. To aid this determination, the Program Officer may provide the proposal, the findings in question, and the actual written request for reconsideration to one or more knowledgeable and non-conflicted reviewers. The program officer must conduct this review via NSPIRES. Based on any analysis by the program officer and any inputs from reviewers, the Program Officer must generate and send to the Selecting Official and the Division Research Lead a written document addressing:
- (1) Justified determinations as to whether the proposer's responses to the disputed findings were found to be valid; and
 - (2) Justified recommendations regarding whether any changes to the rating and/or status of the proposal should be made.
- (e) Discussions between the Program Officer, the Selecting Official, the Division Research Lead, and any additional people identified by the Selecting Official must lead to a decision by the Selecting Official to maintain or to modify the original selection decision. The Program Officer must then construct and communicate to the proposer a written response to the reconsideration request. This response must indicate whether or not all or any part of any challenged finding will be altered, and whether or not the Selecting Official has decided to reverse some or all of the original selection decision. In cases where reviewer inputs were considered, the response to the proposer must provide a summary version (suitably edited and anonymized) of the reviewer inputs. This response to the proposer must be sent via iNSPIRES (selection module) as a User-defined Document Type named appropriately e.g., "Response to reconsideration.". If the original selection decision is modified, then this should be recorded in an amendment to the Selection Decision Document.

5. Further Appeals

If the proposer is not satisfied with the response from the Selecting Official, then a written appeal may be submitted to the SMD Associate Administrator (AA). This request, which summarizes the reasons for the appeal, must be made in writing within 30 calendar days of the response from the Selecting Official to the request for reconsideration. The Selecting Official, Program Officer, and sara@nasa.gov must be copied on this appeal.

The SMD AA must respond in writing to this appeal within 60 calendar days. If additional time is required to prepare a response, then the need for more time should be communicated to the proposer as soon as possible, certainly before the end of the 60 calendar days. The Selecting Official, Program Officer, and sara@nasa.gov must be copied on the response.

The SMD AA may delegate the responsibility for handling this appeal (e.g., to the Deputy AA for Research).

For proposals that would lead to contracts only: If the response from the representative of the SMD AA is deemed not satisfactory, the proposer may consult the Ombudsman (see Appendix G of [the NASA Guidebook for Proposers](#)).

6. Record Keeping

In order to create a lasting record of requests for reconsideration program officers shall preserve the request for reconsideration in iNSPIRES (selection module) as a user defined document, shall conduct reviews of the request for reconsideration via NSPIRES, and shall officially respond to the request for reconsideration via the iNSPIRES (selection module), putting the response in the PI package. Appeals to and responses from the AA shall also be preserved in NSPIRES in the same manner.

Approved



Thomas Zurbuchen
Associate Administrator for the Science Mission Directorate

11/3/17

Date